

REMARKS

Claims 26-36, 40, 41 and 44-50 are all the claims pending in the application.

Analysis of Claim Rejections

Claims 26-36, 40, 41 and 44-50 are rejected under 35 U.S.C. § 102(e) as being anticipated by Dowling et al. (U.S. Patent No. 6,574,239; hereinafter "Dowling"). For at least the following reasons, Applicant respectfully traverses the rejection.

Claim 26 is amended and recites a method for managing a plurality of sessions comprising:

- initiating a first session in a first device connected to a data source;
- initiating a second session in the first device while the first data session is still running;
- stopping the first session in the first device; and
- continuing the first session in a session management server, wherein the session management sever sends an acknowledgement to the data source indicating receipt of data of the first data session.

In an exemplary, non-limiting embodiment of the present invention, the claimed first device may be a mobile handset 10, such as a cellular telephone (paragraph 28). That is, non-limiting embodiment is directed toward cellular systems such as 2.5G and 3G cellular networks. For example, SMS sessions or MMS sessions on cellular systems require delivery notification. According to the non-limiting embodiment, a session management server 20 opens a session with a remote site as well as with the mobile handset 10 (paragraph 34). The session management server 30 performs spoofing, where "[spoofing] means sending acknowledgements to the partner of the data session saying that the session is open and the data that was sent has

been received by the other side” (paragraph 34). It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand aspects of the claims.

In contrast, such cellular networks did not even exist at the time of Dowling’s application. At the time of Dowling’s application, wired telephone lines were used for MODEM connections to the internet. The delivery of content within an Internet session is based on “best effort” delivery. In contrast, telephony networks, such as cellular networks, are based on guaranteed delivery. Therefore, there are methods of reporting to the sender whether a data message is delivered or not. Dowling fails to teach or suggest a session management server which sends an acknowledgement to a data source, the acknowledgement indicating receipt of data from the data source.

Accordingly, Applicant respectfully submits that claim 26 is patentable over the prior art of record. Additionally, claim 40 is amended and recites one or more features analogous to those discussed above with respect to claim 26. Applicant respectfully submits that claim 40 is patentable at least for reasons analogous to those given above with respect to claim 26. Applicant further submits that claims 27-36 and 44-50 are patentable at least by virtue of their dependency on claim 26, and that claim 41 is patentable at least by virtue of its dependency on claim 40.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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